

Notice of Allowability

Application No.

10/668,598

Examiner

Jimmy T Nguyen

Applicant(s)

MORISSE, ERIC

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/24/03.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ The drawings filed on 24 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Moses on September 27, 2004.

The application has been amended as follows:

In the Abstract, second paragraph:

The word "Figure 1" has been deleted.

In the specification, page 1:

Before the first paragraph, the following headline --- FIELD OF THE INVENTION --- has been added.

In claim 1, line 4:

The word "it" has been changed to --- said crushing head ---.

In claim 1, line 7:

The word "it" has been changed to --- said pressing device ---.

In claim 2, line 2:

The word "it" has been changed to --- said crushing head ---.

In claim 2, line 3:

The word "it" has been changed to --- said crushing head ---.

In claim 3, line 3:

The first occurrence word "it" has been changed to --- said pressure plate ---.

In claim 3, line 3:

The second occurrence word "it" has been changed to --- said pressure plate ---.

In claim 4, line 1:

Numeral reference "3" has been changed to --- 2 ----.

In claim 6, line 4:

The word "it" has been changed to --- said crushing head ---.

In claim 6, line 6:

The first occurrence word "it" has been changed to --- said crushing head ---.

In claim 6, line 6:

The second occurrence word "it" has been changed to --- said crushing head ---.

In claim 6, line 8:

The word "it" has been changed to --- said pressing device---.

In claim 6, line 9:

The word "it" has been changed to --- said pressing device ---.

In claim 6, line 11:

The word "it" has been changed to --- said pressure plate ---.

In claim 7, line 3:

The word "it" has been changed to --- said crushing head ---.

In claim 7, line 5:

The word "it" has been changed to --- said crushing head ---.

In claim 7, line 7:

The word "latter" has been changed to --- matter ---.

In claim 8, line 3:

The word "it" has been changed to --- said pressing device ---.

In claim 8, line 4:

The word "it" has been changed to --- said pressing device ---.

In claim 9, line 3:

The word "it" has been changed to --- said crushing head ---.

In claim 9, line 5:

The word "it" has been changed to --- said crushing head ---.

In claim 9, line 7:

The word "latter" has been changed to --- matter ---.

In claim 9, line 8:

The word "it" has been changed to --- said pressing device ---.

In claim 9, line 9:

The word "it" has been changed to --- said pressing device ---.

In claim 11, line 3:

The word "it" has been changed to --- said crushing head ---.

In claim 12, line 3:

The word "it" has been changed to --- said final bale ---.

REASON FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the art of record, considered alone or in combination, neither anticipates nor renders obvious a compactor comprising: *a crushing head and a pressing device as claimed, and configuration means to move the crushing head and the pressing device, each in turn,*

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into its active position inside a bowl while the other is in an inactive position outside the bowl, combination with the rest of the claimed limitations.

US 3,660,014, US 4,426,925 and US 6,520,072 disclose compactors that have rotary crushing roll in a container.

US 3,910,181 discloses a compactor having pressing device (69) and binding means in side a container (fig. 1).

None of the above cited references discloses, fairly suggest or teach a reason to combine references to meet the combination of affirmative recited limitation as claimed in claims 1 and 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Nguyen whose telephone number is (703) 305-5304. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen Ostrager can be reached on (703) 308-3136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNguyen
September 27, 2004



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